

Senate Bill 6

By: Senators Kirkpatrick of the 32nd, Albers of the 56th, Kirk of the 13th, Robertson of the 29th, Payne of the 54th and others

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 5 of Title 42 of the Official Code of Georgia Annotated, relating to general provisions regarding correctional institutions of the state and counties, so as to prohibit the use of unmanned aircraft systems to deliver or attempt to deliver contraband to a place of incarceration; to prohibit the use of unmanned aircraft systems to photograph any place of incarceration without permission of the warden or superintendent of such place of incarceration; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 5 of Title 42 of the Official Code of Georgia Annotated, relating to general provisions regarding correctional institutions of the state and counties, is amended by revising Code Section 42-5-18, relating to items prohibited for possession by inmates, warden's authorization, and penalty, by adding a new subsection to read as follows:

"(f)(1) It shall be unlawful for any person to intentionally use an unmanned aircraft system as defined in Code Section 6-1-4 to violate the provisions of subsection (b) or (b.1) of this Code section.

(2) It shall be unlawful for any person to intentionally photograph or otherwise record images of a place of incarceration by the use of an unmanned aircraft system as defined in Code Section 6-1-4 without the authorization of the warden, the superintendent, or his or her designated representative of such place of incarceration.

(3) Any person who commits or attempts to commit a violation of paragraph (1) of this subsection shall be guilty of a felony and, upon conviction thereof, shall be sentenced as follows:

(A) Any person who violates this subsection through the use of an unmanned aircraft that contains or is carrying a payload that includes any article which inmates are

26 prohibited from possessing pursuant to this Code section shall, upon conviction thereof,
27 be imprisoned for not less than one nor more than ten years; and
28 (B) Any person who violates this subsection by using an unmanned aircraft for
29 photographing or otherwise recording images of a place of incarceration without
30 authorization by the warden, superintendent, or his or her designated representative of
31 such place of incarceration without any contents or payload of one or more items which
32 inmates are prohibited from possessing pursuant to this Code section shall, upon
33 conviction thereof, be imprisoned for not less than one nor more than five years."

34 **SECTION 2.**

35 All laws and parts of laws in conflict with this Act are repealed.